

SUPPORT FOR THE AMENDMENTS

Claims 1, 6, 7, 10, 12-14, and 16 are currently amended.

Claims 2, 3, and 5 have been canceled.

The amendment of Claim 1 is supported by original Claims 1-3 and 5, as well as the specification at page 16, line 16 to page 17, line 3 and chemical structure 2 on page 18. The amendments of Claims 6, 7, 10, 12-14, and 16 are supported by the corresponding claims as originally presented.

The specification has been amended to ensure proper spacing, to capitalize tradenames, and to insert a substitute Abstract.

No new matter is believed to have been added.

REMARKS

Claims 1, 4, and 6-16 are pending in the present application.

The rejections of Claims 1 and 4-7 under 35 U.S.C. §102(b) over EP 0 807 136, EP 1 057 849, and Turri (US 6,376,572) are obviated by amendment.

At the outset, Applicants note that EP 0807136 B1 is equivalent to Japanese Publication JP-A-II-503768 which is discussed at page 3, line 24 to page 4, line 1 of the present application. In addition, it is noted that EP 1057849 A2 and Turri (US 6,376,572) correspond to each other.

Applicants make no statement with respect to the propriety of this ground of rejection and in no way acquiesce to the same. Nonetheless, to expedite examination of this application, Applicants have amended Claim 1 to include the limitations of Claims 2, 3, and 5. In view of the fact that Claim 1 recites the limitations of original Claims 2 and 3, which do not stand rejected the cited references. Accordingly, Applicants submit that the claimed invention is not anticipated by EP 0 807 136, EP 1 057 849, or Turri.

Withdrawal of this ground of rejection is requested.

The rejection of Claims 1-7 under 35 U.S.C. §102(b) over WO 03/002628 as disclosed in US 2004/0181008 is respectfully traversed.

WO 03/002628 (US 2004/0181008 A1) discloses a fluorine-containing polymer containing urethane bond and two acrylate groups, such as isocyanurate type PFPE urethane acrylate (2) disclosed on page 9 of WO 03/002628 (the bottom chemical formula in page 4 of US 2004/0181008 A1). This polymer is obtained by the reaction of HMDI-isocyanurate type *triisocyanate* with PFPE-CH₂OH, and with hydroxyethyl acrylate(HEA), as explained at page

9 of WO 03/002628 (Paragraph [0052] of US 2004/0181008 A1). References is also made to Claim 1 of WO 03/002628, which provides a composition comprising (A) a *triisocyanate* prepared by trimerizing ,a diisocyanate.

From the foregoing, it is clear that the polymer in WO 03/002628 has three main chains in the molecule, and PFPE is positioned at the one terminal of the three main chains. Thus, WO 03/002628 fails to disclose “a fluorine-containing polyether compound having a perfluoropolyether unit, an urethane bond and at least two active energy ray reactive groups at each of both ends of the molecular chain including said perfluoropolyether unit” as presently claimed.

Applicants request withdrawal of this ground of rejection.

The rejections of Claims 1-12: (a) under 35 U.S.C. §103(a) over Eriyama et al (US 6,160,067) in combination with WO 03/002628, (b) under 35 U.S.C. §103(a) over Eriyama et al (US 6,160,067) in combination with Turri (US 6,376,572), (c) under 35 U.S.C. §103(a) over Itoh et al (US 7,074,472) in view of Turri (US 6,376,572), and (d) under the doctrine of obviousness-type double patenting over Claims 1-15 of Itoh et al (US 7,074,472) in view of Turri (US 6,376,572) or WO 03/002628, are respectfully traversed.

Eriyama (US 6,160,067) is the United States Patent based on Japanese Patent Application No. H7-255925. Japanese Patent Application No. H7-255925 is published as Japanese Published unexamined Patent Application No. H9-100111 which is disclosed at page 21, lines 6-7 of the present specification.

WO 03/002628 and Turri (US 6,376,572) are discussed above. In addition to the deficiencies above, Applicants submit that none of Eriyama (US 6, 160,067), Turri (US 6,376,572), and Itoh (US 7,074,472) disclose “a fluorine-containing polyether compound

having a perfluoropolyether unit, an urethane bond and at least two active energy ray reactive groups at each of both ends of the molecular chain including said perfluoropolyether unit” as set forth in Claim 1 of the present application.

Indeed, it should also be noted that the hardcoat agent composition of the presently pending Claim 1 is effective in forming a hardcoat layer excellent in antifouling property and lubricating property as well as in scratch resistance and wear resistance (see page 11, lines 1-13 of the present specification). None of Eriyama (US 6,160,067), Turri (US 6,376,572), and Itoh (US 7,074,472) disclose or suggest this advantage provided by the present invention.

Therefore, regardless of how the disclosures of Eriyama (US 6,160,067), Turri (US 6,376,572), and Itoh (US 7,074,472) are combined, Applicants submit that the presently claimed invention would not be obvious. Moreover, for the same reason, the claims of the present application are not obvious in view of the claims of Itoh(US 7,074,472) when combined with Turri (US 6,376,572) or WO 03/002628.

Applicants request withdrawal of these grounds of rejection.


The objections to the Abstract and to the specification are obviated by amendment. Applicants have amended the specification to ensure proper spacing at page 13, to ensure that the tradename on page 22 is capitalized, and that the Abstract is proper. Withdrawal of these grounds of objection are requested.

Applicants submit that the present application is now in condition for allowance.

Early notification of such action is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon

A handwritten signature in black ink, appearing to be 'V. K. Shier', written in a cursive style.

Vincent K. Shier, Ph.D.
Registration No. 50,552

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 08/03)